

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has not amended any claims. Applicant respectfully submits no new matter has been added. Accordingly, claims 19-34 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections – Specification - 35 U.S.C. § 112

The Examiner objected to the specification under 35 U.S.C. § 112, first paragraph, as being not being written in “full, clear, concise, and exact terms”. The Applicant thanks the Examiner for his careful review of the specification. In response, the Applicant has modified the specification as suggested by the Examiner. The Examiner’s consideration of the amendments to the specification is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 112

The Examiner objected to Claims 1-20 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. In response, the Applicant respectfully disagrees. Claims 1-18 were cancelled and claims 19-34 were added in the preliminary amendment filed in conjunction with this patent application dated March 2, 2006. The Examiner respectfully requests that the Examiner reference the preliminary amendment dated March 2, 2006. The currently standing claims (no amendments) are listed above (claims 19-34). Therefore, the allowance of claims 19-34 is respectfully requested.

4.) Claim Rejections – 35 U.S.C. § 102(b)

Claims 1-4, 10-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by Larsson (US 6,282,427). The Applicant respectfully traverses the rejection of the claims. As stated above, the Applicant earlier filed a preliminary amendment dated March 2, 2006 canceling claims 1-18 and adding claims 19-34. The Applicant is responding to

this rejection with the assumption that claim 19 corresponds to original claim 1 and claim 27 corresponds to original claim 10.

It is important to remember that anticipation requires that the disclosure of a single piece of prior art reveals every element, or limitation, of a claimed invention. Furthermore, the limitation that must be met by an anticipatory reference are those set forth in each statement of function in a claims limitation, and such a limitation cannot be met by an element in a reference that performs a different function, even though it may be part of a device embodying the same general overall concept. Larsson fails to anticipate each and every limitation of claim 1. Therefore, claim 19 is not anticipated.

Claim 19 recites:

19. A method of positioning a radio transmitter, comprising the steps of:
determining a distance to a receiver of known position according to a parameter reflecting propagation delay time;
determining direction from the receiver to the transmitter from a respective parameter reflecting received signal level in a cell/sector where the transmitter is camping or being served and a signal level in one or more co-sited cells/sectors different from the cell/sector where the transmitter is camping or being served, wherein said direction is determined by forming a respective linear scale ratio of or dB-scale differences between at least one or more neighbor cells/sectors received level and a received level of the cell/sector where the transmitter is camping or being served, the received levels being related to the same site. (emphasis added)

The Applicant's invention relates to a method for positioning a radio transmitter (mobile station). The distance from a receiver is determined by a timing advance for a sector cell which positions the transmitter on a TA band (see page 2, lines 4-15 and FIG. 1). The position of the transmitter on the TA band (i.e., the direction from the receiver) is determined by a radio from a parameter of received power from both a serving cell/sector and a neighbor cell/sector (see page 6, lines 9-27 and FIG. 3).

In contrast to the Applicant's invention, Larsson discloses a positioning method which utilizes Location Measurement Units (LMUs) to determining a time of arrival of a received signal burst (see Col. 1, lines 36-40 of Larsson). Specifically, Larsson utilizes time delay measurements to position a mobile station (see Col. 3, lines 34-42).

The Applicant's claimed invention utilizes a ratio between a received power level from a serving cell/sector with at least one neighbor cell/sector. Larsson does not disclose that a directional position is determined from a received power level. Rather, Larsson merely discloses using propagation delay time parameters to determine position.

The Examiner references FIG. 4 of Larsson for disclosing determining a direction from the transmitter to the receiver. The Applicant respectfully disagrees with this characterization. Larsson utilizes time propagation delays to determine a direction and does not use received power levels.

Larsson fails to disclose determining a direction from a received power level parameter. Therefore, Larsson does not anticipate claim 1. Similarly, claim 27 contains limitations analogous to claim 19. Therefore, this claim is also not anticipated by Larsson. Claims 20-26 depend from claim 19 and recite further limitations in combination with the novel elements of claim 19. Claims 28-34 depend from claim 27 and recite further limitations in combination with the novel elements of claim 27. Therefore, the allowance of claims 19-34 is respectfully requested.

5.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 5 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Larsson (US 6,282,427). As stated above, the Applicant canceled claims 5 and 14 in a preliminary amendment filed March 2, 2006. However, added claims 22 and 30 correspond to original claims 5 and 14.

The Applicant respectfully traverses the rejection. As stated above, Larsson does not use a power level parameter to determine a direction from a received cell. Rather Larsson utilizes a time propagation delay parameter to determine a direction. Therefore, Larsson does not teach or suggest all the elements of claims 19 and 27. Claim 22 depends from claim 19 and recites further limitations in combination with the novel elements of claim 19. Claim 30 depends from claim 27 and recites further limitations in combination with the novel elements of claim 27. Therefore, the allowance of claims 22 and 30 is respectfully requested.

Claims 6-9 and 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Larsson (US 6,282,427) in view of Mannoja (US 7,069,023). As stated above, the Applicant canceled claims 6-9 and 15-18 in a preliminary amendment filed March 2, 2006.

The Applicant respectfully traverses the rejection. Larsson does not use a power level parameter to determine a direction from a received cell. Rather, Larsson utilizes a time propagation delay parameter to determine a direction. The addition of Mannoja does not make up the missing elements. Therefore, Larsson does not teach or suggest all the elements of claims 19 and 27. Claims 20-26 depend from claim 19 and recite further limitations in combination with the novel elements of claim 19. Claims 28-34 depend from claim 27 and recite further limitations in combination with the novel elements of claim 27. Therefore, the allowance of claims 19-34 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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